IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 21528 of 2004

Between:

Surampally Venkata Nageswara Rao, S/o Pydi Raju,50 years,Retired Bank Employee, H.No.5-3-202,Pakabanda, Khammam, Khammam Districdt.

..... PETITIONER

AND

1. The Government of A.P. rep.by the District Collector,Ranga Reddy District at Hyderabad.
2. The Mandal Revenue Officer, Saroor Nagar Mandal, Ranga Reddy District.
3. The Sub-Registrar, Saroor Nagar, Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction, particularly one in the nature of Writ of Mandamus, directing the 3rd respondent to receive and register the sale deed in respect of the property flat No.4 in the Apartment Complex namely " Sri Venkateswasra Residency" bearing Municipal H.No.4-84,Vikasnagar Colony, situated in Sy.No.27 of the Gaddiannaram village, Saroornagar Mandal, Ranga Reddy District without reference to the letter No.B/825/97, dated 26-6-1997 of 2nd respondent and release the same.

Counsel for the Petitioner: MR.M.GANGA RAO

Counsel for the Respondents: GP FOR REVENUE

The Court, at the stage of admission, made the following :

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ORAL ORDER

This writ petition is filed to direct the 3rd respondent to receive and register the sale deed in respect of the property flat No.4 in the Apartment Complex namely " Sri Venkateswasra Residency" bearing Municipal H.No.4-84,Vikasnagar Colony, situated in Sy.No.27 of the Gaddiannaram village, Saroornagar Mandal, Ranga Reddy District without reference to the letter No.B/825/97, dated 26-6-1997 of 2nd respondent and release the same.

The petitioner presented the sale deed for registration of the sale. Basing on the proceedings in Lr.No.B/825/97, dated 26-06-1997of the Mandal Revenue Officer, Saroornagar Mandal, the 3rd respondent, being registration authority, refused to receive and register the same in respect of the registration of the case. In this connection, this Court has already taken a view in the case of ***RAGHU PRAVEEN AND OTHERS VS. RDO, KAKINADA*** that unless a property is notified under Section 22-A of the Registration Act,1908, the registering authority has no power to refuse to register a document presented to him as regards the property within his jurisdiction, if the document is otherwise in the order, and if there is no dispute as to the identity of the executant.

Admittedly the sale deed, in which the petitioner seeks to register the document, is not notified in accordance with Section 22-A of the Registration Act, 1908.

Following the above said judgment, the writ petition is allowed, directing the 3rd respondent to receive and register the sale deed for registration in respect of the property, flat No.4 in the Apartment Complex namely " Sri Venkateswasra

Residency” bearing Municipal H.No.4-84, Vikasnagar Colony, situated in Sy.No.27 of the Gaddiannaram village, Saroornagar Mandal, Ranga Reddy District . No order as to costs.

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K.C.BHANU,J

24TH NOVEMBER 2004

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TO

1. The District Collector, Govt. of A.P., Ranga Reddy District at Hyderabad.
2. The Mandal Revenue Officer, Saroor Nagar Mandal, Ranga Reddy District.
3. The Sub-Registrar, Saroor Nagar, Ranga Reddy District.
4. Two CCs to G.P for REVENUE, High Court Buildings, High Court of A.P.Hyderabad(OUT)
5. Two C.D.Copies.